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SEC. 20. The deputy hotel commissioner is hereby empowered to appoint and employ such office help and traveling inspectors as are necessary to carry out the terms of this act. Such inspectors shall be under the control and direction of the hotel commission and shall receive such compensation as shall be fixed by the hotel commission, not to exceed \$1,200 per annum, payable monthly, together with all necessary traveling expenses.

SEC. 21. All notices to be served by the hotel commissioner provided for in this act shall be in writing and shall be either delivered personally or by registered letter to the owner, agent, lessee, or manager of such building and premises or the owner, agent, lessee, or manager of such hotel or restaurant. Any person, firm, or corporation who shall operate a hotel or restaurant in this State or who shall let a building used for such business without first having complied with the provisions of this act shall be guilty of a misdemeanor and shall be fined in the sum of \$5 for each and every day he or they shall be found guilty of such noncompliance with this act, together with costs of suit.

SEC. 22. The county attorney of each county in this State is hereby authorized and required, upon complaint on oath of the hotel commissioner or other person, to prosecute to termination before any court of competent jurisdiction in the name of the State of Florida a proper action or proceeding against any person or persons violating the provisions of this act, and he shall make immediate report to State attorney.

SEC. 23. Such money as may be necessary shall be appropriated out of the general fund of the State for the purpose of carrying into effect the provisions of this act.

SEC. 24. On 60 days' notice from the passing of this law all hotels and restaurants shall screen all outside doors and windows in such manner as will meet approval of hotel inspector, in accordance with section 9 of this act.

SEC. 25. All previous acts conflicting with this act are hereby repealed.

NEW YORK.

Births and Deaths—Registration of. (Chap. 619, Act May 21, 1913.)

SECTION 1. Article 18 of chapter 49 of the laws of 1909, entitled "An act in relation to the public health, constituting chapter 45 of the consolidated laws," as renumbered article 19 by section 5 of chapter 128 of the laws of 1911, and renumbered article 20 by chapter 445 of the laws of 1912, is hereby made article 21 thereof, and sections 350 and 351 of such chapter, as renumbered sections 360 and 361 by chapter 445 of the laws of 1912, are hereby renumbered sections 450 and 451, respectively.

SEC. 2. Such chapter is hereby amended by inserting therein a new article, to be article 20 thereof, to read as follows:

SEC. 370. *Registration of births and deaths; duties of State department of health.*—The State department of health shall have charge of the registration of births and deaths, shall provide the necessary instructions, forms, and blanks for obtaining and preserving such records, and shall procure the faithful registration of the same in each primary registration district as constituted by this article and in the division of vital statistics at the capital of the State. The said department shall be charged with the uniform and thorough enforcement of this article throughout the State, and shall from time to time recommend any additional legislation that may be necessary for this purpose. The public health council may establish such rules and regulations supplementary to the provisions of this article and not inconsistent therewith, as it may deem necessary from time to time, in relation to the registration of births and deaths. Such rules and regulations shall be observed by all authorities upon whom duties are imposed by this article in connection with the registration of births and deaths.

SEC. 371. *Duties of State commissioner of health as to vital statistics.*—The State commissioner of health shall have general supervision of the division of vital statistics, which shall be established by the department of health, and which shall be under the immediate direction of a director to be appointed by the commissioner, who shall possess such qualifications as may be prescribed by the public health council. The State commissioner of health shall detail to the division of vital statistics such clerical and other assistants as may be necessary to carry into effect the provisions of this act. The trustees of public buildings shall provide suitable offices in the capitol or elsewhere for the division of vital statistics, which shall be suitably equipped for the permanent and safe preservation of all records received or made under the provisions of this act.

SEC. 372. *Registration districts.*—The State shall be divided into registration districts as follows: Each city, each incorporated village, and each town shall constitute a primary registration district, provided that the State commissioner of health may combine two or more primary registration districts to facilitate registration.

SEC. 373. *Registrar of vital statistics.*—In each primary registration district there shall be a registrar of vital statistics. Qualifications of registrars of vital statistics hereafter appointed shall be prescribed by the public health council. A local health officer shall be eligible for appointment as registrar of vital statistics, and if so appointed and if receiving a salary equivalent to not less than 15 cents per year per inhabitant of such registration district, he shall serve as registrar of vital statistics without additional remuneration therefor. In towns and villages the registrar of vital statistics shall be appointed by the town board and by the village board of trustees, respectively; in the cities, unless otherwise provided by the charter, the registrar of vital statistics shall be appointed by the mayor. The term of office of a registrar of vital statistics, unless the charter of the city or village shall provide otherwise, shall be four years. Each registrar of vital statistics shall hold office until his successor shall have been appointed and shall have qualified. Any registrar of vital statistics who in the judgment of the State commissioner of health fails or neglects to discharge efficiently the duties of his office as set forth in this article, or to make prompt and complete return of births and deaths as required thereby, shall be forthwith removed by the State commissioner of health, and such other penalties may be imposed as are provided by this article. Each registrar of vital statistics shall immediately upon his acceptance of appointment as such, appoint a deputy, whose duty it shall be to act in his stead in case of his absence or inability, and such deputy shall in writing accept such appointment and be subject to all rules and regulations governing registrars. When it appears necessary for the convenience of the people in any rural district, the registrar is authorized, with the approval of the State commissioner of health, to appoint one or more suitable persons to act as subregistrars, who shall be authorized to receive birth and death certificates and to issue burial or removal permits in and for such portions of the district as may be designated, and each such subregistrar shall note on each certificate over his signature the date of filing and shall forward all certificates to the local registrar of the district within three days, and in all cases before the third day of the following month: *Provided, however,* That each subregistrar shall be subject to the supervision and control of the State commissioner of health and may be by him removed for neglect or failure to perform his duty in accordance with the provisions of this act or the regulations of the public health council, and shall be subject to the same penalties for neglect of duty as the local registrar.

SEC. 374. *Correction of defective registration.*—If defects be found in the registration under the supervision of a registrar of vital statistics, the State commissioner of health shall notify such registrar that such defects must be corrected within 10 days of the date of the notice. If such defects are not so corrected, the State commissioner of health shall take control of such registration and of the records thereof, and enforce the rules and regulations in regard thereto and secure a complete registration in such district, and such control shall continue until the registrar of vital statistics shall satisfy

the commissioner of health that he will make such record and registry complete as required by law and by the rules and regulations of the public health council. The expenses incurred by the State commissioner of health or his authorized representative while in control of such registration shall be a charge upon the city, town, or village comprising the registration district.

SEC. 375. *Permits for burial or removal of dead bodies.*—The body of any person whose death occurs in this State or which shall be found dead therein shall not be interred, deposited in a vault or tomb, cremated or otherwise disposed of or removed from or into any registration district, or be temporarily held pending further disposition more than 72 hours after death unless a permit for burial, removal, or other disposition thereof shall have been properly issued by the registrar of vital statistics of the registration district in which the death occurred or the body was found. No such burial or removal permit shall be issued by any registrar until, wherever practicable, a complete and satisfactory certificate of death has been filed with him as heretofore provided: *Provided*, That when a dead body is transported from outside of the State into a registration district in this State for burial, the transit or removal permit issued in accordance with the law and health regulations of the place where the death occurred shall be given the same force and effect as the burial permit herein provided for. No registrar of vital statistics shall receive any fee for the issuance of burial or removal permits under this act other than the compensation provided in this article.

SEC. 376. *Registration of stillborn children.*—A stillborn child shall be registered as a birth and also as a death, and separate certificates of both the birth and the death shall be filed with the registrar of vital statistics in the usual form and manner, the certificate of birth to contain in place of the name of the child the word "stillbirth:" *Provided*, That a certificate of birth and a certificate of death shall not be required for a child that has not advanced to the fifth month of uterogestation. The medical certificate of the cause of death shall be signed by the attending physician, if any, and shall state the cause of death as "stillborn," with the cause of the stillbirth, if known, whether a premature birth, and, if born prematurely, the period of uterogestation, in months, if known, and a burial or removal permit of the prescribed form shall be required. Midwives shall not sign certificates of death for stillborn children, but such cases and stillbirths occurring without attendance of either physician or midwife shall be treated as deaths without medical attendance, as hereinafter provided in this article.

SEC. 377. *Certificate of death.*—The certificate of death shall contain the following items, which are hereby declared necessary for the legal, social, and sanitary purposes subserved by registration records:

1. Place of death, including State, county, township, village, or city. If in a city, the ward, street, and house number. If in a hospital or other institution, the name of the same to be given instead of the street and house number. If in an industrial camp, the name of the camp to be given.
2. Full name of decedent. If an unnamed child, the surname preceded by "unnamed."
3. Sex.
4. Color or race, as white, black, mulatto (or other negro descent), Indian, Chinese, Japanese, or other.
5. Conjugal condition, as single, married, widowed, or divorced.
6. Date of birth, including the year, month, and day.
7. Age, in years, months, and days. If less than one day, the hours or minutes.
8. Occupation. The occupation to be reported of any person, male or female, who had any remunerative employment, with the statement of trade, profession, or particular kind of work; general nature of industry, business, or establishment in which engaged or employed.
9. Birthplace; at least State or foreign country, if known.

10. Name of father.
11. Birthplace of father; at least State or foreign country, if known.
12. Maiden name of mother.
13. Birthplace of mother; at least State or foreign country, if known.
14. Signature and address of informant.
15. Official signature of registrar, with the date when certificate was filed, and registered number.
16. Date of death; year, month, and day.
17. Certification as to medical attendance on decedent, fact and time of death, time last seen alive, and the cause of death, with contributory, that is to say, secondary cause of complication, if any, and duration of each, and whether attributed to dangerous or insanitary conditions of employment; signature and address of physician or official making the medical certificate.
18. Length of residence at place of death and in the State, together with the place where disease was contracted, if not at place of death, and former or usual residence.
19. Place and date of burial, cremation, or removal.
20. Signature and address of undertaker or person in charge of the corpse.

The particulars called for by items 1 to 13, inclusive, shall be authenticated by the signature of the informant, who may be any competent person acquainted with the facts. The statement of facts relating to the disposition of the body shall be signed by the undertaker or person in charge of the corpse. The medical certificates shall be made and signed by the physician, if any, last in attendance on the deceased, who shall specify the time in attendance, the time he last saw the deceased alive, and the hour of the day at which death occurred. He shall further state the cause of death, so as to show the cause of disease or sequence of causes resulting in the death, giving first the name of the disease causing death; that is to say, the primary cause, and the contributory; that is to say, the secondary cause, if any, and the duration of each. Indefinite terms, denoting only symptoms of disease or conditions resulting from disease, shall not be held sufficient for the issuance of a burial or removal permit. Any certificate stating the cause of death in terms which the State commissioner of health shall have declared indefinite shall be returned to the physician or person making the medical certificate for correction and more definite statement. Causes of death which may be the result of either disease or violence shall be explicitly defined; and if from violence, the means of injury shall be stated, and whether apparently accidental, suicidal, or homicidal. For deaths in hospitals, institutions, or of non-residents, the physician shall supply the information required under item 18, if he is able to do so, and may state where, in his opinion, the disease was contracted.

SEC. 378. *Registration of deaths occurring without medical attendance.*—In case of any death occurring without medical attendance it shall be the duty of the undertaker or other person to whose knowledge the death may come to notify the local health officer of such death, and when so notified the health officer shall immediately investigate and certify as to the cause of death: *Provided*, That if the health officer has reason to believe that the death may have been due to unlawful act or neglect he shall then refer the case to the coroner or other proper officer for his investigation and certification. The coroner or other proper officer whose duty it is to hold an inquest on the body of a deceased person and to make the certificate of death required for a burial permit shall state in his certificate the name of the disease causing death or, if from external causes, the means of death, whether probably accidental, suicidal, or homicidal, and shall, in any case, furnish such information as may be required by the State commissioner of health in order properly to classify the death.

SEC. 379. *Duties of undertaker.*—In each case the undertaker or person having charge of the corpse shall file the certificate of death with the registrar of the district in which the death occurred and obtain a burial or removal permit prior to any disposition of the body. He shall obtain the required personal and statistical particulars from a

person qualified to supply them, over the signature and address of his informant. He shall then present the certificate to the attending physician, who shall forthwith fill out and sign the medical certificate of death, or to the health officer or coroner for the medical certificate of the cause of death and other particulars necessary to complete the record for the registration of deaths, as specified in this article, if no physician was in attendance upon the deceased. He shall then state the facts required relative to the date and place of burial, cremation, or removal, over his signature and with his address, and present the completed certificate to the registrar in order to obtain a permit for burial, removal, or other disposition of the body. The undertaker shall deliver the burial permit to the person in charge of the place of burial before interring or otherwise disposing of the body, or shall attach the removal permit to the box containing the corpse when shipped by any transportation company, said permit to accompany the corpse to its destination, where, if within the State of New York, it shall be delivered to the person in charge of the place of burial.

SEC. 380. *Duties of undertakers; interment within the State.*—If the interment or other disposition of the body is to be made within the State, the wording of the burial or removal permit may be limited to a statement by the registrar, and over his signature, that a satisfactory certificate of death having been filed with him, as required by law, permission is granted to inter, remove, or dispose otherwise of the body, stating the name, age, sex, cause of death, and other necessary details upon the form prescribed by the commissioner of health.

SEC. 381. *Interments.*—No person in charge of any premises on which interments or cremations are made shall inter or permit the interment or other disposition of any body unless it is accompanied by a burial, cremation, or transit permit as herein provided. Such person shall indorse upon the permit the date of interment or cremation over his signature, and shall return all permits so indorsed to the registrar of his district within seven days from the date of interment or cremation. He shall keep a record of all bodies interred or otherwise disposed of on the premises under his charge, in each case stating the name of each deceased person, place of death, date of burial or disposal, and name and address of the undertaker; which record shall at all times be open to official inspection; provided that the undertaker or person having charge of the corpse, when burying a body in a cemetery or burial ground having no person in charge, shall sign the burial or removal permit, giving the date of burial, and shall write across the face of the permit the words "No person in charge," and file the burial or removal permit within three days with the registrar of the district in which the cemetery is located.

SEC. 382. *Registration of births.*—The birth of each and every child born in this State shall be registered within five days after the date of each birth; there shall be filed with the registrar of the district in which the birth occurred a certificate of such birth, which certificate shall be upon the form prescribed therefor by the State commissioner of health. In each case where a physician, midwife, or person acting as midwife, was in attendance upon the birth, it shall be the duty of such physician, midwife, or person acting as midwife, to file said certificate. In each case where there was no physician, midwife, or person acting as midwife, in attendance upon the birth, it shall be the duty of the father or mother of the child, the householder or owner of the premises where the birth occurred, or the manager or superintendent of the public or private institution where the birth occurred, each in the order named, within five days after the date of such birth, to report to the local registrar the fact of such birth. In such case and in case the physician, midwife, or person acting as midwife, in attendance upon the birth is unable, by diligent inquiry, to obtain any item or items of information required in this article, it shall then be the duty of the registrar to secure from the person so reporting, or from any other person having the required knowledge, such information as will enable him to prepare the certificate of birth herein required, and it shall be the duty of the person reporting the birth or

who may be interrogated in relation thereto to answer correctly and to the best of his knowledge all questions put to him by the registrar which may be calculated to elicit any information needed to make a complete record of the birth as contemplated by this article, and it shall be the duty of the informant as to any statement made in accordance herewith to verify such statement by his signature, when requested so to do by the local registrar.

SEC. 383. *Certificate of birth.*—The certificate of birth shall contain the following items, which are hereby declared necessary for the legal, social, and sanitary purposes subserved by registration records.

1. Place of birth, including State, county, town, village, or city. If in a city, the ward, street, and house number; if in a hospital or other institution, the name of the same to be given instead of the street and house number.

2. Full name of child. If the child dies without a name before the certificate is filed, enter the words "Died unnamed." If the living child has not yet been named at the date of filing certificate of birth, the space for "full name of child" is to be left blank, to be filled out subsequently by a supplemental report, as hereinafter provided.

3. Sex of child.

4. Whether a twin, triplet, or other plural birth. A separate certificate shall be required for each child in case of plural births.

5. For plural births number of each child in order of birth.

6. Whether legitimate or illegitimate.

7. Date of birth, including the year, month, and day.

8. Full name of father; provided, that if the child is illegitimate, the name of the putative father shall not be entered without his consent; but the other particulars relating to the putative father may be entered if known, otherwise as "unknown."

9. Residence of father.

10. Color or race of father.

11. Age of father at last birthday, in years.

12. Birthplace of father; at least State or foreign country, if known.

13. Occupation of father. The occupation to be reported if engaged in any remunerative employment, with the statement of trade, profession, or particular kind of work; general nature of industry, business, or establishment in which engaged or employed.

14. Maiden name of mother.

15. Residence of mother.

16. Color or race of mother.

17. Age of mother at last birthday, in years.

18. Birthplace of mother; at least State or foreign country, if known.

19. Occupation of mother. The occupation to be reported if engaged in any remunerative employment, with the statement of trade, profession, or particular kind of work; general nature of industry, business, or establishment in which engaged or employed.

20. Number of children born to this mother, including present birth.

21. Number of children of this mother living.

22. The certification of attending physician or midwife as to attendance at birth, including statement of year, month, day, and hour of birth, and whether the child was born alive or stillborn. This certification shall be signed by the attending physician or midwife, with date of signature and address; if there was no physician or midwife in attendance, then by the father or mother of the child, householder, owner of the premises, manager or superintendent of public or private institution where the birth occurred, or other competent person, whose duty it shall be to notify the local registrar of such birth.

23. Exact date of filing in office of local registrar, attested by his official signature, and registered number of birth, as hereinafter provided.

SEC. 384. *Registration of name of child subsequent to filing of birth certificate.*—When any certificate of birth of a living child is presented without the statement of the given name, the local registrar shall make out and deliver to the parents of the child a special blank for the supplemental report of the given name of the child, which shall be filled out as directed, and returned to the local registrar as soon as the child shall have been named.

SEC. 385. *Registration of physicians, midwives, and undertakers.*—Every physician, midwife, and undertaker shall, on or before the day on which this article takes effect, register his or her name, address, and occupation with the registrar of the district in which he or she resides, and shall so register in any district in which he or she may hereafter establish a residence; and shall thereupon be supplied by the registrar with a copy of this article, together with such rules and regulations as may be prepared by the public health council relative to its enforcement. Within 30 days after the close of each calendar year each registrar shall make a return to the State commissioner of health of all physicians, midwives, or undertakers who have been registered in his district during the whole or any part of the preceding calendar year; provided, that no fee or other compensation shall be charged by registrars to physicians, midwives, or undertakers for registering their names under this section or making returns thereof to the State commissioner of health.

SEC. 386. *Registration of persons in institutions.*—All superintendents or managers or other persons in charge of hospitals, almshouses, lying-in or other institutions, public or private, to which persons resort for treatment of diseases or confinement, or to which persons are committed by process of law, shall make a record of all the personal and statistical particulars relative to the inmates in their institutions when this act takes effect; which are required in the forms of certificate provided for by this article as directed by the State commissioner of health; and thereafter such record shall be by them made for all future inmates at the time of their admittance. In the case of persons admitted or committed for treatment of disease, the physician in charge shall specify for entry in the record the nature of the disease and where, in his opinion, it was contracted. The personal particulars and information required by this section shall be obtained from the individual himself if it is practicable to do so; and when they can not be so obtained, they shall be obtained in as complete a manner as possible from relatives, friends, or other persons acquainted with the facts.

SEC. 387. *Records to be kept by State commissioner of health.*—The State commissioner of health shall prepare, print, and supply to all registrars all blanks and forms used in registering, recording, and preserving the returns, or in otherwise carrying out the purposes of this article, and shall prepare and issue such detailed instructions, not inconsistent with the regulation established by the public health council, as may be required to procure the uniform observance of its provisions and the maintenance of a perfect system of registration; and no other blanks shall be used than those supplied by the State commissioner of health. He shall carefully examine the certificates received monthly from the registrars, and if any such are incomplete or unsatisfactory he shall require such further information to be supplied as may be necessary to make the record complete and satisfactory. All physicians, midwives, undertakers, or informants, and all other persons having knowledge of the facts, are hereby required to supply, upon a form provided by the State commissioner of health or upon the original certificate, such information as they may possess regarding any birth or death upon demand of the State commissioner of health, in person, by mail, or through the registrar; provided, that no certificate of birth or death, after its acceptance for registration by the registrar, and no other record made in pursuance of this article, shall be altered or changed in any respect otherwise than by amendments properly dated, signed, and witnessed. The State commissioner of health shall arrange and permanently preserve the certificates in a systematic manner, and shall prepare and maintain a comprehensive and continuous card index of all births and

deaths registered; said index to be arranged alphabetically, in the case of deaths, by the names of decedents, and in the case of births, by the names of fathers or mothers if born out of wedlock. He shall inform all registrars what diseases are to be considered infectious, contagious, or communicable and dangerous to the public health, as decided by the public health council, in order that when deaths occur from such diseases proper precautions may be taken to prevent their spread.

SEC. 388. *Certified copies of birth certificates evidence of age.*—Certified copies of birth certificates or of statements based on duly registered certificates of birth shall be accepted by public-school authorities in this State as prima facie evidence of age of children registering for school attendance, and by the legally constituted authorities as prima facie proof of age for the issuance of employment certificates, provided that when it is not possible to secure such certified copy of birth registration certificate for any child, the school authorities may accept as secondary proof of age any of the kinds of evidence specified in the labor law.

SEC. 389. *District records to be kept by registrar.*—Each registrar shall supply blank forms of certificates to such persons as require them. Each registrar shall carefully examine each certificate of birth or death when presented for record in order to ascertain whether or not it has been made out in accordance with the provisions of this act and the instructions of the State commissioner of health; and if any certificate of death is incomplete or unsatisfactory, it shall be his duty to call attention to the defects in the return, and to withhold the burial or removal permit until such defects are corrected. All certificates, either of birth or death, shall be written legibly, in durable black ink, and no certificate shall be held to be complete and correct that does not supply all of the items of information called for therein, or satisfactorily account for their omission. If the certificate of death is properly executed and complete, he shall then issue a burial or removal permit to the undertaker; provided, that in case the death occurred from some disease which is held by the public health council to be infectious, contagious, or communicable and dangerous to the public health, no permit for the removal or other disposition of the body shall be issued by the registrar, except to an undertaker licensed under section 295 of the public health law, under such conditions as may be prescribed by the State public health council. If a certificate of birth is incomplete, the local registrar shall immediately notify the informant and require him to supply the missing items of information if they can be obtained. He shall number consecutively the certificates of birth and death, in two separate series, beginning with the number one for the first birth and the first death in each calendar year, and sign his name as registrar in attest of the date of filing in his office. He shall also make a complete and accurate copy of each birth and each death certificate registered by him in a record book supplied by the State commissioner of health, to be preserved permanently in his office as the local record, in such manner as directed by the commissioner of health. He shall, on the 5th day of each month, transmit to the State commissioner of health all original certificates registered by him for the preceding month. If no births or no deaths occurred in any month, he shall on the 5th day of the following month report that fact to the State commissioner of health on a card provided for such purpose.

SEC. 390. *Fees of registrar.*—Except as hereinbefore otherwise provided, each registrar shall be paid the sum of 25 cents for each birth certificate and each death certificate properly and completely made out and registered with him and correctly recorded and promptly returned by him to the State commissioner of health, as required by this act. And in case no births or no deaths were registered during any month, the local registrar shall be entitled to be paid the sum of 25 cents for each report to that effect, but only if such report be made promptly as required by this act. All amounts payable to the local registrar under the provisions of this article shall be paid by the municipality comprising the registration district, upon certification by the State commissioner of health. The State commissioner of health shall annually

certify to the municipality the number of births and deaths properly registered, with the name of the local registrar and the amount due him at the rate fixed herein.

SEC. 391. *Certified copies of records: State commissioner of health to furnish.*—The State commissioner of health may, upon request, supply to any applicant a certified copy of the record of any birth or death registered under the provisions of this act, for the making and certification of which he shall be entitled to a fee of \$1, to be paid by the applicant: *Provided*, That the United States Census Bureau may obtain, without expense to the State, transcripts of certified copies of births and deaths without payment of the fee here prescribed, for use solely as statistical data. Any copy of the record of a birth or death, when properly certified by the State commissioner of health, shall be prima facie evidence in all courts and places of the facts therein stated. For any search of the files and records when no certified copy is made, the State commissioner of health shall be entitled to a fee of 50 cents for each hour or fractional part of an hour of time of search, said fee to be paid by the applicant.

If any time within 10 years of the birth, or 1 year of the death of any person within this State, a certified copy of the official record of said birth or death, with the information required to be registered by this act, be necessary for legal, judicial, or other proper purposes, and, after search by the State commissioner of health, it should appear that no such certificate of birth or death was made and filed, as provided by this act, then the person asking for such certified copy may file a sworn statement, to be accompanied by the affidavits of two competent witnesses, as to the fact of birth or death, with as many particulars of the standard certificate supplied as possible, and the State commissioner of health shall file it and issue a certified copy thereof to said applicant without fee and without charge for time of search; and the State commissioner of health shall immediately require the physician or midwife, who, being in attendance upon a birth since the date of the taking effect of this act, failed or neglected to file a certificate thereof or the undertaker or other person who, having charge of the interment or removal of the body of a deceased person since the date of the taking effect of this act, failed or neglected to file the certificate of death, if he or she be living, to obtain and file at once with the local registrar such certificate in as complete form as the lapse of time will permit, together with a fee of \$5, which shall be transmitted to the State commissioner of health and accounted for as a fee for certified copies. With said certificate shall be filed the sworn statements and affidavits hereinabove mentioned. The delinquent physician, midwife, undertaker, or other person may also, in the discretion of the State commissioner of health, be prosecuted as required by this article, and shall be prosecuted without bar from the statute of limitations, if he or she shall neglect or fail to file promptly the certificate required by this section as a substitute for the certificate not filed as required by this article, and to pay the filing fee provided for in this section. The State commissioner of health shall keep a true and correct account of all fees by him received under this section, and turn the same over to the State treasurer.

SEC. 392. *Penalties.*—Any person who, for himself or as an officer, agent, or employee of any other person, or of any corporation or partnership, shall inter, cremate, or otherwise finally dispose of the dead body of a human being, or permit the same to be done, or shall remove said body from the primary registration district in which the death occurred or the body was found, without the authority of a burial or removal permit issued by the local registrar of the district in which the death occurred, or in which the body was found; or shall refuse or fail to furnish correctly any information in his possession, or shall furnish false information affecting any certificate or record, required by this article; or shall willfully alter, otherwise than is provided by this article, or shall falsify any certificate of birth or death, or any record established by this article; or being required by this article to fill out a certificate of birth or death and file the same with the local registrar, or deliver it, upon request, to any person charged with the duty of filing the same, shall fail, neglect, or refuse to perform such

duty in the manner required by this article; or being a registrar, deputy registrar, or subregistrar, shall fail, neglect, or refuse to perform his duty, as required by this article and by the instructions and direction of the State commissioner of health thereunder, shall be deemed guilty of a misdemeanor and upon conviction thereof shall for the first offense be fined not less than \$5 nor more than \$50 and for each subsequent offense not less than \$10 or more than \$100 or be imprisoned in the county jail not more than 60 days, or be both fined and imprisoned in the discretion of the court.

SEC. 393. *Enforcement.*—Each registrar is hereby charged with the strict and thorough enforcement of the provisions of this article, in his registration district, under the supervision and direction of the State commissioner of health. He shall make an immediate report to the State commissioner of health of any violation of any provision of this article coming to his knowledge, by observation or upon complaint of any person, or otherwise.

The State commissioner of health is hereby charged with the thorough and efficient execution of the provisions of this article in every part of the State, and is hereby granted supervisory power over registrars, deputy registrars, and subregistrars, to the end that all of its requirements shall be uniformly complied with. The State commissioner of health, either personally or by an accredited representative, shall have authority to investigate cases of irregularity or violation of law, and all registrars shall aid him, upon request, in such investigations. When he shall deem it necessary he shall report cases of violation of any of the provisions of this article to the district attorney of the county, with a statement of the facts and circumstances; and when any such case is reported to him by the State commissioner of health the prosecuting attorney shall forthwith initiate and promptly follow up the necessary court proceedings against the person or corporation responsible for the alleged violation of law. Upon request of the State commissioner of health the attorney general shall assist in the enforcement of the provisions of this article.

SEC. 394. *Exemptions.*—Nothing in this article shall be construed to affect, alter, or repeal laws now in force applying to the city of New York.

SEC. 3. Section 5 of such chapter as amended by chapter 557, laws of 1909, and section 22 of such chapter as amended by chapter 407, laws of 1909, chapter 639 of the laws of 1910, and chapter 279 of laws of 1911, and section 23 of such chapter as amended by chapter 407, laws of 1909, are hereby repealed.

SEC. 4. This act shall take effect on the 1st day of January, 1914.

NORTH DAKOTA.

County Boards of Health—Constitution, Powers, and Duties—County Superintendents. (Chap. 59, Act Mar. 15, 1913.)

SECTION 1. That section 259 of the Revised Codes of 1905 be amended to read as follows:

“SEC. 259. There are hereby established county boards of health composed of a president, vice president, and superintendent. The State's attorney in each county shall be president of the county board; the county superintendent of schools shall be vice president, and he shall also appoint a superintendent of public health for the county, who shall be learned in medicine and hold a license to practice medicine and surgery within the State, and the several persons appointed shall hold their offices for one year and until their successors are elected and qualified: *Provided, however,* That whenever the State board of health has reason to believe that the county superintendent of public health is failing to perform his duties as prescribed by law, they may report the case to the board of county commissioners and the latter shall at their next meeting declare the office vacant and appoint another physician in his place for the remainder of the unexpired term.”